Received 7/18/05 JRB

Notes highlighted Richard Hallaway City of Vancouver

S1. PERMIT COVERAGE AREA AND CRITERIA

A. Geographic Area of Permit Coverage

This permit is applicable to owners or operators of *regulated small municipal separate storm sewer systems* (MS4s) located west of the eastern boundaries of the following counties: Snohomish, Skagit, Whatcom, King, Pierce, Lewis and Skamania.

1. For all Cities required to obtain coverage under this permit, the requirements of this permit shall be applicable and shall be implemented throughout the entire incorporated area of the city.

2. For all Counties required to obtain coverage under this permit, the requirements of this permit shall be applicable and shall be implemented throughout the *urbanized area* and the urban growth areas associated with cities within or connected to the urbanized areas which are under the jurisdictional control of the County.

3. For other entities required to obtain coverage under this permit, the requirements of this permit are applicable and shall be implemented throughout the areas served by, and under the effective control of the entity.

B. Regulated Small *Municipal Separate Storm Sewer Systems* (MS4s)

All operators of regulated small municipal separate storm sewer systems (MS4s) are required to apply for and obtain coverage under this permit or be permitted under a separate individual permit, unless waived or exempted in accordance with condition S1.C.

1. **A small MS4** is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

   a. Owned or operated by a city, town, county, district, association or other public body (created pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, *stormwater*, or other wastes, including special districts under State law such as a sewer districts, flood control districts or drainage districts, or similar entity;

   b. Designed or used for collecting or conveying stormwater;

   c. Not a combined sewer system;

   d. Not part of a Publicly Owned Treatment Works (POTW) as defined at *40 CFR* 122.2; and

   e. Not defined as "large" or "medium" pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

   f. Small MS4s include systems similar to separate storm sewer systems in municipalities, such as systems at universities, large publicly owned hospitals, prison complexes, and highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this permit.

g. Small MS4s do not include storm drain systems operated by non-governmental entities such as; individuals, private schools, private colleges, private universities, and industrial and commercial entities.

2. **A regulated small MS4** is a small municipal separate storm sewer system which:

a. Is located within, or partially located within, an urbanized area as defined by the latest decennial census conducted by the U.S. Bureau of Census, or designated by the Department pursuant to 40 CFR 122.35(b); and

b. *Discharges* stormwater from the MS4 to a surface water of Washington State; and

c. The small MS4 is not eligible for a waiver or exemption under S1.C below.

d. Cities and Counties listed in Appendix 2 of this permit are regulated small MS4s.

3. All other operators of municipal separate storm sewers, including special purpose districts, which meet the criteria for a regulated small municipal separate storm sewer system shall obtain coverage under this permit. Other operators of municipal separate storm sewers may include, but are not limited to: flood control, or diking and drainage districts, schools including universities, correctional facilities, and publicly owned hospitals which own or operate a small municipal separate storm sewer system serving non-agricultural land uses.

4. Any other operators of small municipal separate storm sewers systems may be required by the Department to obtain coverage under this permit or an alternative NPDES permit if the Department determines the small MS4 is a significant source of pollution to surface *waters of the state*. Notification of the Departments determination that permit coverage is required will be through the issuance of an Administrative Order issued in accordance with RCW 90.48.

C. The owner/operator of an otherwise regulated small municipal separate storm sewer system is **not** required to obtain coverage under this permit if:

1. The portions of the small MS4 located within the census defined urban area(s) serve a total population of less than 1000 people and a, b, and c, below all apply:

a. The small MS4 is not contributing substantially to the pollutant loadings of a *physically interconnected* MS4 that is regulated by the NPDES stormwater program; and

b. The discharge of pollutants from the small MS4 has not been identified as a cause of impairment of any water body to which the MS4 discharges; and

c. In areas where an EPA approved TMDL has been completed, stormwater controls on the MS4 have not been identified as being necessary.

d. In determining the total population served, both resident and commuter populations shall be included.

i. For publicly operated school complexes including universities and colleges the total population served would include the sum of the average annual student enrollment plus staff.

contribute to loss or impairment, then additional controls necessary to protect beneficial uses must be applied. The additional controls determined necessary to protect beneficial uses must be in place prior to the discharge from the new stormwater source or outfall.

D. Ecology may modify or revoke and reissue this general permit in accordance with General Condition G14, if Ecology becomes aware of additional control measures, management practices or other actions beyond what is required in this permit, that are necessary to reduce the discharge of pollutants to the MEP or to protect water quality.

S6. MONITORING

Ecology is requesting comments on the objectives of the proposed monitoring program.

We are interested in assessing the effect of implementing the stormwater management programs required under this permit. This includes looking at receiving waters, stormwater quality and BMP effectiveness. The information gained will be used to provide feedback for local stormwater management programs and Ecology's permitting program.

Should Ecology require integrated, collaborative, WRIA-scale monitoring programs? WRIA-scale monitoring programs could eventually integrate monitoring among all municipal stormwater permittees, Phase I, Phase II and WSDOT. Or are independent monitoring programs adequate to development the information basis for providing feedback on stormwater management programs?

This section of the permit (S6) applies to all Cities and Counties covered under this permit, including Cities and Counties that are Co-permittees. Where the term "Permittee" is used in this section, the requirements apply to all cities and counties covered under this permit.

A. Permittees shall develop a comprehensive long-term water quality monitoring program during the term of this permit. The monitoring program shall be submitted to the Department no later than 4 years from the effective date of this permit. The goal of the water quality monitoring program is to provide feedback for adaptive management of the Department of Ecology's MS4 permitting program as prescribed by the requirements of this permit, and the Permittee's Stormwater Management Program developed pursuant to S7 of this permit. The water quality monitoring program shall contribute to answering the following questions about the effectiveness of this permit and the Permittee's program in protecting water quality and beneficial uses:

1. Is the Stormwater Management Program required in S7 adequate to prevent adverse impacts to receiving water quality and beneficial uses from new development construction and post-construction stormwater discharges?

2. Is the Permittee's Stormwater Management Program preventing impacts to water quality and beneficial uses in receiving waters?

The water quality monitoring program must include long-term monitoring and may include short-term special studies. The monitoring program shall also include BMP effectiveness monitoring. The results of the monitoring program shall be used to support the adaptive management process and lead to refinements of the Stormwater Management Program.

B. Permittees may choose to collaborate with other Phase I and/or Phase II Permittees to develop the water quality monitoring plan, conduct the monitoring, and report results, or may choose to perform these tasks independently.

1. Permittees may choose to participate in the development of an integrated water quality monitoring program in collaboration with the other Phase I or Phase II MS4 Permittees in the Water Resource Inventory Area(s) (WRIA) in which their MS4 is located. This collaborative effort shall be conducted as follows:

a. Permittees that choose to participate in the development of an integrated water quality monitoring program shall form a committee for this purpose.

b. One Permittee shall be identified as the lead Permittee for purposes of reporting. The lead Permittee shall be responsible for the overall monitoring program management and shall prepare and submit to the Department unified monitoring program plans and reports.

The activities of the lead Permittee shall include, but not be limited to, the following:

i. Coordinate and conduct Monitoring Committee meetings on an as needed basis.

ii. Coordinate monitoring activities and participate in any subcommittees formed as necessary to coordinate monitoring activities.

iii. Provide technical and administrative support and inform the other Permittees of the progress of monitoring activities or studies.

iv. Coordinate all the activities with the Department, including the submittal of all reports and plans developed by the committee.

v. Obtain public input for any proposed monitoring plans, where applicable.

vi. Cooperate in the WRIA-based monitoring program.

c. The non-lead Permittees on the committee shall be responsible for implementing monitoring programs and coordinating among their internal departments and agencies, as appropriate, to facilitate the implementation of the monitoring program.

The activities of the non-lead Permittees shall include, but not be limited to, the following:

i. Participate in a Monitoring Committee comprised of the lead Permittee and one representative of each of the other Permittees. The lead Permittee will take the lead role in initiating and developing the WRIA-wide

monitoring activities necessary to comply with S6.A above. The committee shall meet on a regular basis (at least six times per year). Each Permittee shall designate one official representative to the Monitoring Committee.

ii. Review, approve, and comment on all plans, strategies, and monitoring programs, as developed by the lead Permittee or any Permittee subcommittee to comply with this permit.

iii. Conduct and coordinate with the lead Permittee any monitoring and characterizations needed to implement the monitoring program.

iv. Prepare and submit all required reports to the lead Permittee in a timely manner.

2. Permittees may independently develop a water quality monitoring plan, conduct the monitoring, and report results to the Department. The Monitoring Program must be submitted to the Department for approval no later than 4 years from the effective date of this permit and must fully implement the requirements of S6.A. The Department will review the Permittee's program and will either approve the program as is or with modifications at the Department's discretion.

C. Other than water quality monitoring required under S4, no monitoring is required to be conducted during this permit term.

D. The Permittee's monitoring-related implementation actions shall be included in the annual report.

S7. STORMWATER MANAGEMENT PROGRAM

Note to Reviewers:

Ecology is specifically requesting comments on the organization of the Stormwater Management Program in the phase I and Western Washington phase II permits.

The current organization in the phase II permit follows the EPA six minimum measures, while the organization for the phase I municipal stormwater permit reflects the old permit and other factors. Should the two permits have a consistent organizational structure/outline for the stormwater management program? If so should the structure follow the organization either the phase I or Western Washington phase II permit or a different structure altogether?

A. This section of the permit (Special Condition S7 *Stormwater Management Program*) applies to all Cities and Counties covered under this permit, including Cities and Counties which are Co-permittee. Where the term "Permittee" is used in this section the requirements apply to all cities and counties covered under this permit.

1. Each Permittee shall develop and implement a Stormwater Management Program, SWMP, during the term of this permit. A SWMP is a set of actions and activities comprising the *components* listed in S7.B, S7.D.1 through S7.D.6, and any additional actions necessary to meet the requirements of applicable TMDLs.

Section C? No D here 57

2. The SWMP must be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented by the expiration date of this permit.

3. Each Permittee shall prepare written documentation of their SWMP in accordance with S9. The documentation of the SWMP shall be organized according to the program components in S7.C and shall be updated annually. The SWMP documentation shall include a description of each of the program components included in S7.C and any additional actions necessary to meet the requirements of applicable TMDLs.

4. The SWMP shall include an ongoing program for gathering, maintaining, and using information to track SWMP development and implementation, evaluate permit compliance/non-compliance, and to determine the effectiveness of the SWMP implementation.

costs related to the

a. Each Permittee shall track ~~the cost of~~ development and implementation of the SWMP. This information shall be included in the annual report.

b. Each Permittee shall track the number of inspections, official enforcement actions and types of public education activities. This information shall be included in the annual report.

directly related to the SWMP

B. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the MEP and protect water quality. Notwithstanding the schedules for implementation of SWMP components contained in this permit, permittees which are implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP.

Minimum control Measure

C. The SWMP shall include the components listed below. All components are mandatory for each City and County covered under this permit. In accordance with 40 CFR 122.35(a) and Special Condition S3, a City or County may rely on another entity to implement one or more of the components in this section.

1. Public Education and Outreach (this is a sub-heading of C)

indent →

Permittees must develop and implement a public education and outreach program. The program shall distribute educational materials or conduct equivalent outreach to educate the community about the impacts of stormwater discharges on surface and ground water bodies. Outreach efforts must include a multimedia approach. Outreach and educational efforts must be targeted and presented to specific audiences for increased effectiveness.

The minimum performance measures are:

a. No later than two years from the effective date of this permit, Permittees shall develop and begin implementation of a public education and outreach program which at a minimum includes the following topics and target audiences:

i. Provide educational opportunities for all audiences about the importance of improving water quality, reducing impervious surfaces and protecting beneficial uses of waters of the state, about potential impacts caused by stormwater

discharges, and methods for avoiding, minimizing, reducing and/or eliminating the adverse impacts of stormwater *runoff*.

ii. Provide and encourage participation in environmental stewardship activities including information on local stream teams and other groups devoted to water quality improvement and protection.

iii. Provide information to the general public and others about actions individuals can take to improve water quality and reduce impervious surfaces (e.g., lawn care with less fertilizer and pesticides, more use of native vegetation for landscaping, proper disposal of pet wastes, etc.).

iv. Provide information to the general public and others on the proper use and disposal of pesticides, herbicides, and fertilizers.

v. Provide information to engineers, construction contractors, developers, development review staff, and land use planners on technical standards, the development of stormwater site plans and erosion control plans, and stormwater best management practices for reducing adverse impacts from stormwater runoff from development sites.

vi. Provide information to engineers, contractors, developers, and the public on land development practices and non-structural BMPs such as *low impact development* practices that eliminate, avoid, or minimize adverse stormwater impacts.

vii. Provide information to businesses and others on illicit discharges, including what constitutes an illicit discharge and the impacts of illicit discharges.

viii. Provide information to the public, businesses and others promoting the proper management and disposal of toxic materials (e.g. used oil, batteries, vehicle fluids, home chemicals.)

since the audience includes "others" is this realistic? Why necessary?

b. Each Permittee shall develop and implement a public education and outreach program designed to reach 100% of the target audiences identified in S7.C(1)(a)(v) through (viii) within their jurisdiction by the expiration date of this permit.

maybe "a majority of the target audience or as many of the target audience as practicable"

2. Public Involvement and Participation

The SWMP shall include ongoing opportunities for public involvement through advisory councils, watershed committees, participation in developing rate-structures, stewardship programs, environmental activities, and other similar activities. Each Permittee shall comply with applicable State and Local public notice requirements when implementing a public involvement and participation program.

Even the emergency broadcast system can't reach 100%.

The minimum performance measures are:

a. No later than one year from the effective date of this permit, all Permittees shall create opportunities for the public to participate in the decision making processes involving the development, implementation and update of the

What if they already did participate? Does past involvement cover this?

Permittees entire SWMP. Each Permittee must develop and implement a process for consideration of public comments on their SWMP.

b. Each Permittee must make their SWMP, the SWMP documentation required under S7.A(3) and all submittals required by this permit, including the Permittees' annual reports available to the public on the Permitees' website and submitted in electronic format to the Department for posting on the Department's website.

3. Illicit Discharge Detection and Elimination

The SWMP shall include an ongoing program to detect, remove, and prevent *illicit connections*, discharges, and improper disposal, including spills, into the municipal separate storm sewers owned or operated by the Permittee. Permittees shall fully implement an ongoing illicit discharge detection and elimination program no later than 4 years from the effective date of this permit. 5?

The minimum performance measures are:

a. A municipal storm sewer system map shall be developed no later than 4 years from the effective date of this permit. Municipal storm sewer system maps shall be periodically updated, and shall include the following information:

i. The location of all known municipal separate storm sewer outfalls and receiving waters; and structural stormwater BMPs owned, operated, or maintained by the Permittee;

ii. Tributary conveyance systems, associated tributary drainage areas, and land uses, of all municipal separate storm sewer outfalls with a 24 inches nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, and indicate type, material, and size where known;

iii. All known and new connections to the Permittee's MS4 authorized or approved by the Permittee; and

iv. Areas served by the Permittee's MS4 that discharge stormwater to groundwater.

v. Upon request, and to the extent appropriate, Permittees shall provide mapping information to Co-permittees and Secondary Permittees.

The outfall and tributary maps in (i) and (ii) above shall be in a GIS format which meets Ecology's GIS standards and shall be submitted to the Department with the fourth year annual report. Ecology's GIS standards are available at: http://www.ecy.wa.gov/services/gis/data/standards.htm

b. Each Permittee shall develop and implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illegal discharges, and/or dumping into the Permittee's municipal separate storm sewer system to the maximum extent allowable under State law. The ordinance or other regulatory mechanism shall be adopted no later than 2 years from the effective date of this permit. The ordinance or other regulatory mechanism shall:

i. Effectively prohibit all types of non-stormwater discharges into the MS4 operated by the Permittee other than those authorized under a separate NPDES permit.

The categories of non-stormwater discharges listed below must be addressed only if identified as a significant contributor of pollution to the regulated small MS4. As necessary, the Permittee(s) shall incorporate appropriate control measures in the Permittee's SWMP to ensure these discharges are not significant sources of pollutants to waters of the state. Non-stormwater discharge categories include:

- Lawn watering and landscape irrigation, provided that conservation programs to minimize this type of discharge are in place.
- Diverted stream flows, provided that all necessary permits or authorizations are received prior to diverting the stream flow.
- Rising ground waters.
- Uncontaminated ground water infiltration (as defined at 40 CFR35.2005(20)) to separate storm sewers.
- Uncontaminated pumped ground water.
- Water line flushing and discharges from potable water sources, provided planned discharges from water lines and potable water sources shall be dechlorinated, pH adjusted if necessary, reoxygenated, and volumetrically and velocity controlled to prevent resuspension of sediments. Water that has been hyperchlorinated shall not be discharged to municipal separate storm sewers, even after de-chlorination.
- Foundation drains.
- Air conditioning condensation.
- Irrigation water.
- Springs.
- Water from crawl space pumps.
- Footing drains.
- Flows from riparian habitats and wetlands.
- Dechlorinated swimming pool discharges, provided discharge to a sanitary sewer is not available. Swimming pool discharges shall be dechlorinated, pH adjusted if necessary, reoxygenated, and volumetrically and velocity controlled to prevent resuspension of sediments. Swimming pool cleaning wastewater and filter backwash shall not be discharged to municipal separate storm sewers. Water that has been hyperchlorinated shall not be discharged to municipal separate storm sewers, even after de-chlorination.
- Street wash water, provided street wash waters shall be dechlorinated prior to entry into the MS4. At active construction sites, street sweeping must be performed prior to washing the street.

ii. Include all appropriate enforcement provisions and procedures as allowed under State Law.

c. Develop and implement an ongoing program which will effectively detect and address non-stormwater discharges and illegal dumping into the Permittee's municipal separate storm sewer system. The following shall be included:

i. Procedures for the detection and removal of illicit connections to the permittee's municipal storm sewer system, including sanitary sewer or interior floor drain connections.

ii. Each Permittee shall prioritize receiving waters for screening for illicit connections and other illicit discharges and shall conduct field screening of all outfalls into three high priority water bodies no later than the three years from the effective date of this permit, and shall conduct field screening on at least one water body per year there after. Screening for illicit connections shall be conducted using: Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments, Center for Watershed Protection, October 2004, or an equivalent methodology.

iii. No later than 2 years from the effective date of this permit, adopt and implement procedures for reporting and correcting or removing illicit connections and other illicit discharges when they are suspected or identified.

- Upon discovery or upon receiving a report of a suspected illicit connection, Permittees shall initiate an investigation within 21 days, to determine the source of the connection, the nature and volume of discharge through the connection, and the responsible party for the connection.

- Upon confirmation of the illicit nature of a storm drain connection, Permittees shall ensure termination of the connection within 180 days, using enforcement authority as needed.

iv. No later than 2 years from the effective date of this permit, develop and implement procedures to prevent, respond to, and clean up spills and improper disposal into municipal separate storm sewers owned or operated by the Permittee. Investigate or refer to the appropriate agency, within 7 days on average, any complaints/reports or monitoring information that indicates a potential illicit discharge, spill, or illegal dumping. Investigate or refer as soon as possible within 24 hours, those problems/violations judged to be urgent or severe, or reported as emergencies.

v. No later than 2 years from the effective date of this permit, a citizen complaints/reports telephone number shall be established and publicly listed.

d. Provide appropriate training for municipal field staff on the identification and reporting of illicit discharges into municipal separate storm sewers.

i. Training shall be provided to those responsible for identification, investigation, termination, cleanup, and reporting illicit discharges, including spills, improper disposal, and illicit connections. Initial training

shall be completed no later than one year from the effective date of this permit. Permittees shall conduct refresher training on an annual basis thereafter. ← stormwater / surface water

ii. All municipal field staff, which as part of their normal job responsibilities might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system shall be trained on the identification of an illicit discharge/connection and on the proper procedures for reporting the illicit discharge/connection. Initial training shall be completed no later than 2 years from the effective date of this permit. Permittees shall conduct refresher training on an annual basis thereafter.

4. Controlling Stormwater Runoff from New Development, Redevelopment, and Construction Sites

Each Permittee shall develop, implement, and enforce a program, to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The "Technical Thresholds" in Appendix 1 shall be applied to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale.

At a minimum, the program shall include the following elements:

a. An ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. The ordinance or other enforceable mechanism shall be in place no later than one year from the effective date of this permit. At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. Requirements of the ordinance shall include, but is not limited to the following: are

i. The Minimum Requirements, technical thresholds, and definitions in Appendix 1 for new development, redevelopment, and construction sites must be included in the ordinance or other enforceable mechanism adopted by the local government. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of basin plans or other similar water quality and quantity planning efforts. Such local requirements must provide equal protection of receiving waters and equal levels of pollution control as compared to Appendix 1.

ii. Adjustment and variance criteria equivalent to those in Appendix 1 must be included.

iii. A site planning process and BMP selection and design criteria that, when used to implement the minimum requirements on a site specific basis, will protect water quality, reduce the discharge of pollutants to the maximum extent practical, and satisfy the state requirement under chapter 90.48 RCW to apply all known, available, reasonable methods of prevention, control and treatment (AKART) prior to discharge. Permittees must document how the

criteria and requirements will protect water quality, reduce the discharge of pollutants to the maximum extent practical, and satisfy the state AKART requirements.

Permittees who choose to use the site planning process, and BMP selection and design criteria in the 2005 *Stormwater Management Manual for Western Washington*, or an equivalent manual approved by the Department, may cite this choice as their sole documentation to meet this requirement.

iv. The program shall include legal authority, through approval of new development, to inspect private stormwater facilities.

v. Allow source reduction approaches such as Low Impact Development Techniques, LID, and other measures to minimize the disturbance of the soils and natural vegetation at the site and changes to natural hydrology.

b. The program must include a process of permits, plan review, inspections and enforcement capability to meet the following standards for both private and public projects, using *qualified personnel* (staff or qualified contractors). At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The process shall be in place no later than 2 years from the effective date of this permit.

i. Review all stormwater site plans for proposed development activities.

ii. Inspect, prior to clearing and construction, all development sites that are *hydraulically near* a *sediment/erosion-sensitive feature* or have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 4.

iii. Inspect all permitted development sites during construction to ensure proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection. This inspection may be combined with other inspections provided it is still performed by qualified personel (staff or contractor).

iv. Inspect all permitted development sites upon completion of construction and prior to final approval/occupancy to ensure proper installation of permanent erosion controls and stormwater facilities/BMPs. Enforce as necessary based on the inspection. Also, ensure a maintenance plan is completed and responsibilty for maintenance is assigned. This inspection may be combined with other inspections provided it is still performed by qualified personel.

v. Compliance with the inspection requirements in (ii), (iii) and (iv) above shall be determined by the presence of an established inspection program designed to inspect all sites. At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale.

Puts you in non-compliance when initiating.

c. An ordinance or other enforceable mechanism to ensure adequate long-term operation and maintenance (O&M) of post-construction stormwater facilities/BMPs that are permitted and constructed pursuant to (b) above. The ordinance or other enforceable mechanism shall be in place no later than two years from the effective date of this permit. At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The ordinance or other enforceable mechanism must clearly identify the party responsible for maintenance, require inspection of facilities in accordance with the following requirements, and establish enforcement procedures, and shall include:

i. Adoption of maintenance standards that are as protective or more protective than those specified in Chapter 4 of Volume V of the Stormwater Management Manual for Western Washington (2005).

The facility-specific maintenance standards are conditions for determining if maintenance actions are required as identified through inspection. They are not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standards between inspections and/or maintenance does not automatically constitute a violation of these standards. However, based upon inspection observations, the inspection and maintenance schedules shall be adjusted to minimize the length of time that a facility is in a condition that requires a maintenance action. These standards are violated when an inspection identifies a required maintenance action, and that action is not performed in a timely manner, for example; within 90 days for typical maintenance, within 6 months for re-vegetation, and within 1 year for maintenance that requires capital construction of less than $25,000.

ii. Annual inspection of all stormwater treatment and flow control facilities to ensure compliance with the adopted maintenance standards. The annual inspection schedule of a facility may be changed to a lesser or greater frequency of inspection as appropriate to ensure compliance with maintenance standards. Changing the inspection frequency to less frequently than annually shall be based on maintenance records of double the length of time of the proposed inspection frequency. The inspection requirement in this paragraph does not apply to catch basins.

iii. Inspect all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed.

iv. Compliance with the inspection requirements in (ii) and (iii) above shall be determined by the presence of an established inspection program designed to inspect all sites.

d. A procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained

e. A process to make available copies of the "*Notice of Intent for Construction Activity*" and/or copies of the "*Notice of Intent for Industrial Activity*" to representatives of proposed new development and redevelopment. Permittees will continue to enforce local ordinances controlling runoff from construction sites that also require coverage under the Baseline General Permit for Discharges Associated with Industrial Stormwater and/or the General Permit for Stormwater Discharges Associated with Construction Activities.

f. Adequate training for staff involved in Controlling Stormwater Runoff from New Development, Redevelopment, and Construction Sites, including permiting, plan review, construction site inspections, O&M, and enforcement to carry out the provision of this program component.

5. Pollution Prevention and Operation and Maintenance for Municipal Operations

Each Permittee shall develop and implement an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Within three years of the effective date of this permit, each Permittee must develop and implement a Pollution Prevention/O&M program.

Is this requiring we adopt Ch.4 of the S/W Manual? Excessive?

At a minimum, this program shall include:

a. Adoption of maintenance standards that are as protective or more protective than those specified in Chapter 4 of Volume V of the Stormwater Management Manual for Western Washington (2005).

The facility-specific maintenance standards are conditions for determining if maintenance actions are required as identified through inspection. They are not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standards between inspections and/or maintenance does not automatically constitute a violation of these standards. However, based upon inspection observations, the inspection and maintenance schedules shall be adjusted to minimize the length of time that a facility is in a condition that requires a maintenance action. These standards are violated when an inspection identifies a required maintenance action, and that action is not performed in a timely manner, for example; within 90 days for typical maintenance, within 6 months for re-vegetation, and within 1 year for maintenance that requires capital construction of less than $25,000.

b. Inspection of all municipally owned or operated stormwater treatment and flow control facilities annually and taking appropriate maintenance actions in accordance with the adopted maintenance standards. Changing the inspection frequency to less frequently than annually shall be based on maintenance records of double the length of time of the proposed inspection frequency.

Makes sense, why do we need 4,5,ii?

c. Conducting spot checks of potentially damaged treatment and flow control facilities after major storm events. If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.

d. Inspection of all catch basins and inlets owned or operated by the Permittee at least once before the end of the permit term. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established above. Disposal of decant water shall be done in accordance with the requirements in Appendix 5.

e. Compliance with the inspection requirements in a, b, c and d above shall be determined by the presence of an established inspection program designed to inspect all sites. Permitteee.

f. Establishment and implementation of practices to reduce stormwater impacts associated with runoff from public streets, public parking lots, public roads, highways, and public road maintenance activities. The following activities must be addressed:

- Pipe cleaning
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Street cleaning
- Road repair and resurfacing, including pavement grinding
- Snow and ice control
- Utility installation
- Maintaining roadside areas, including vegetation management.
- Dust control
- Pavement striping maintenance

g. Establishment and implementation of policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee, including but not limited to: parks, open space, road right-of-way, maintenance yards, and at stormwater treatment and flow control facilities. These policies and procedures must address, but are not limited to:

- Application of fertilizer, pesticides, and herbicides including the development of integrated pest management program
- Sediment and erosion control
- Landscape maintenance and vegetation disposal
- Trash management
- Building exterior cleaning and maintenance

h. Training for appropriate employees of the Permittee whose construction, operations, or maintenance job functions may impact stormwater quality. Training shall address the importance of protecting water quality, the requirements of this permit, operation and

maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, including potential illicit discharges.

i. Development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for all *heavy equipment maintenance or storage yards*, and *material storage facilities* owned or operated by the Permittee, that are not covered under the Industrial Stormwater General permit. The SWPPP is a documented plan to implement measures to identify, prevent, and control the contamination of discharges of stormwater to surface or ground water. Implementation of non-structural BMPs shall begin immediately after the pollution prevention plan is developed. A schedule for implementation of structural BMPs shall be included in the SWPPP. Generic SWPPPs that can be applied at multiple sites may be used to comply with this requirement. The SWPPP shall include periodic visual observation of stormwater outfalls and receiving water in close proximity of known stormwater outfalls, during a storm event, to evaluate the effectiveness of BMPs. A visual observation form is provided at ***http://www.ecy.wa.gov/programs/wq/stormwater/index.html***.

j. Record keeping of inspections and maintenance or repair activities conducted by the Permittee shall be maintained in accordance with S10, Record Keeping.